

REMARKS

Currently in the application are Claims 1-45.

In the Office Action, the Examiner restricted Claims 1-9 and 37-44 (Group I), Claims 10-16 and 21-36 (Group II), and Claims 17-20 and 43-45 (Group III), as being drawn to independent inventions. During a telephone conversation, Applicant's attorney provisionally elected Group III for continued prosecution. Pursuant to the Examiner's request, Applicant hereby confirms such election.

The Examiner rejected Claim 44 under 35 USC § 112, second paragraph, for lacking proper antecedent basis. In response, Applicant has amended Claim 44 as suggested by the Examiner. Applicant has also amended Claims 19-20 in a similar manner.

The Examiner rejected Claims 17-19, 43 and 45 under 35 USC § 103(a) as being unpatentable over US 4,870,702 ("Azzouni") in view of US Patent No. 5,633,096 ("Hattori"). This rejection is respectfully traversed.

Applicant will address the rejection as to Claims 17 and 43 separately, for the sake of clarity.

Claim 17 calls for a method for charging a battery pack comprising providing an audio equipment component having a power supply, a circuit for producing an audio signal connected to the power supply and a charger connected to the power supply, disposing the battery pack in the charger, providing power to the battery pack, and removing the battery pack from the charger.

Admittedly, Azzouni discloses an audio equipment having a power supply, a circuit for producing an audio signal connected to the power supply, and a charger connected to the power supply, which provides power to a rechargeable battery. However, Azzouni does not disclose a method where a battery pack is disposed in and removed from the charger.

The Examiner relies instead on Hattori to provide the missing elements. However, Hattori does not disclose disposing a battery pack in and removing it from the charger. Instead, it discloses installing a battery pack in a holder for powering a product, not for charging. Accordingly, the Azzouni-Hattori combination does not have all the claimed elements. Therefore, it cannot render Claims 17-19 unpatentable.

The Examiner also rejected Claims 43 and 45. Claim 43 calls for an apparatus comprising a housing, an audio circuit for producing an audio signal disposed in the housing, a charger disposed in the housing, a receptacle in the charger, a battery pack detachably connectable in a power tool mounted in the receptacle, a first electrical circuit in the charger for charging the battery pack and for powering the audio circuit, and a connector for connecting the first electrical circuit to a power source.

Admittedly, Azzouni discloses a housing, an audio circuit for producing an audio signal disposed in the housing, a charger disposed in the housing, a receptacle in the charger, a battery pack detachably connectable in a power tool mounted in the receptacle, a first electrical circuit in the charger for charging the battery pack and for powering the audio circuit, and a connector for connecting the first electrical circuit to a power source. However, Azzouni does not disclose a

receptacle in the charger, or a battery pack detachably connectable in a power tool mounted in the receptacle.

The Examiner relies instead on Hattori to provide the missing elements. However, Hattori discloses neither a charger having a receptacle, nor a battery pack mounted in the receptacle, connecting the battery pack to the charger. Instead, it discloses mounting a battery pack in a holder for powering a product, not for charging. Accordingly, the Azzouni-Hattori combination does not have all the claimed elements. Therefore, it cannot render Claims 43 and 45 unpatentable.

The Examiner also rejected Claims 20 and 44 under 35 USC § 103(a) as being unpatentable over Azzouni in view of Hattori and further in view of US Patent No. 4,709,201 ("Schaefer"). This rejection is respectfully traversed.

Applicant will address the rejections as to Claims 20 and 44 separately, for the sake of clarity.

Claim 20 is dependent upon Claim 17, and thus includes all the elements called for in Claim 17. In addition, Claim 20 requires that the step of manually switching the power supply to provide power to the audio circuit from the battery pack. This enables the user, for example, to switch from the AC power supply to the DC power provided by the battery pack.

As discussed above, Azzouni and Hattori do not disclose disposing a battery pack in and removing it from the charger, which is part of the audio equipment component. Schaefer does not disclose or suggest such process either.

Furthermore, Schaefer does not disclose manually switching the power supply to provide power to the audio circuit from the battery pack. Schaefer does disclose providing a first power supply (through the charger) and a second power supply (the battery). However, Schaefer does not disclose switching between the two power supplies.

Instead, Schaefer requires that the radio be removed from the charger before switching on the battery power supply. Accordingly, Schaefer does not allow the user to switch to the battery power supply while connected to the charger power supply. In other words, the user cannot select either power supply at all times. By contradistinction, the present invention allows the user to select between the two power supplies at all times. Therefore, Claim 20 is patentable over the Azzouni-Hattori-Schaefer combination.

The Examiner also rejected Claim 44. Claim 44 is dependent upon Claim 43, and thus includes all the elements called for in Claim 43. Claim 44 also requires that the connector is adapted for connection to an AC power source, and a second electrical circuit connectable to the battery pack for powering the audio circuit when the connector is disconnected from an AC power source.

As discussed above, Azzouni and Hattori do not disclose a charger in the housing having a receptacle, nor a battery pack mounted in the receptacle, connecting the battery pack to the charger. Schaefer does not remedy such problem. Indeed, Schaefer discloses providing a charger outside of the housing.

Furthermore, Schaefer does not disclose a second electrical circuit for powering the audio circuit when the connector is disconnected from an AC power source. Instead, Schaefer

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discloses circuit for powering the audio circuit when the battery is disconnected from the charger, regardless of whether the connector (and thus the charger) is connected to or disconnected from the AC power source. Therefore, Claim 44 is patentable over the Azzouni-Hattori-Schaefer combination.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-45 are respectfully requested.

No fee is due for the present amendment. Nevertheless, the Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



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